THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO.2107 of 2005

14th November 2005

Between:

The Depot Manager, APSRTC, Manthani Bus Depot, Karimnagar District.

...APPELLANT/RESPONDENT

AND

M.J.R.Reddy, S/o.Bapi Reddy, 45 years, Driver E-102939, APSRTC, Manthani Deport, Karimnagar.

...RESPONDENT/PETITIONER

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO.2107 of 2005

JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

At the request of the learned counsel on either side, the Writ Appeal itself is taken up for disposal.

This appeal is at the instance of the appellant/Corporation whose main complaint is that Writ Petition No.17547 of 2005 was disposed of at the admission stage without providing an opportunity to file counter affidavit. Further, it is pointed out that the Writ

Petition is not maintainable having regard to the fact that the learned counsel for the respondent submitted that in pursuance of the circular issued granting the benefit of Special Grade Increment to the employees on completion of 12 years of service in the same post, the said person is entitled to the said benefit if he completes 12 years of service in the same post.

Having considered the submissions made on either side and on perusal of the material available on record, it is seen that the learned Single Judge disposed of the Writ Petition with a direction to pass appropriate orders granting the Special Grade Increment to the respondent within a period of four weeks from the date of the order with all consequential benefits. Having regard to the same, it is not necessary to go into the merits of the case as it was already directed to pass appropriate orders in accordance with law, in accordance with the circular and in accordance with the eligibility of the respondent.

Subject to the above, the Writ Appeal is dismissed. No costs.

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(B.PRAKASH RAO, J)

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(P.LAKSHMANA REDDY, J)

14th November 2005

RRB